

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

Application of Rudolf Eckardt et al.

Serial No. 09/447,490

Filed on 11/23/99

For A PROCESS FOR PRODUCING CARBAMAZEPINE

Attorney's Docket 0691-018a



GAU 1624
Examiner: T. McKenzie

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Box Appeal
Hon. Commissioner of Patents and Trademarks
Washington DC 20231

Sir:

SUPPLEMENT TO BRIEF ON APPEAL

This Supplement to the Brief on Appeal is enclosed in triplicate prior to the receipt of any Examiner's Answer. All fees were paid with the previous submission of the Brief on Appeal.

The Examiner's unsupported speculations (which contradict the teachings of the sole reference Acklin et al., as explained in the Brief on Appeal), have no probative value whatsoever. Therefore, it may not even be considered by the Board, because it is not evidence. The only way to make it evidence, for what it is worth, is to submit the same with an examiner's affidavit pursuant to 37 C.F.R. 1.104(d)(2) the earlier demand for which is respectfully reiterated herein.

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Gabriel P. Katona".

Gabriel P. Katona,
attorney of record

I hereby certify that this correspondence is deposited with the U.S. Postal Service, addressed as above, on August 17, 2000.

A handwritten signature in dark ink, appearing to read "Cynthia A. Pilato".

Cynthia A. Pilato